

SECOND MORTGAGE MODIFICATION AGREEMENT

Loan No: 43402417780002232056

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS on July 29, 2012 Owens Enterprises, LLC ("Grantor") did intend to grant and convey a mortgage securing a Promissory Note (Loan No. 43402417780002232056) to Regions Bank ("Lender") in certain described real property located in Shelby County, such mortgage being recorded in the Office of the Judge of Probate of Shelby County, Alabama on September 14, 2012 as Instrument No. 20120914000349230 (the "Mortgage"); and

WHEREAS the Mortgage, at page 1 of 8, incorrectly describes the subject property as being commonly known as "3500 Bearden Lane, Helena, AL, 35080," when it should have referenced a street address of "109 Clark Street, Pelham, AL 35124" and

WHEREAS the Mortgage included as "Exhibit A" thereto an incorrect legal description at page 8 of 8 that described real property in which Grantor had no right, title or interest, when the Mortgage should have included and was intended by the parties to include the legal description contained on **Exhibit A** to this Second Mortgage Modification Agreement, and;

WHEREAS on October 20, 2013 Grantor and Lender did enter into and execute a "Modification of Mortgage" referencing the same Mortgage described above, but including the correct street address and legal descriptions and extending the maturity of the Promissory Note (Loan No. 43402417780002232056) to September 20, 2014, and

WHEREAS, to avoid any confusion or ambiguity, Grantor and Lender wish to explicitly modify the Mortgage to correctly reflect the correct street address and legal description of the mortgaged real property securing Loan No. 43402417780002232056,

NOW THEREFORE, Grantor and Lender hereby adopt, re-affirm, and ratify the terms of the Mortgage and October 20, 2013 Modification of Mortgage, except that the Mortgage is modified and corrected to reflect the parties' original and true intent that the Mortgage is secured by the real property described in **Exhibit A** hereto, commonly known as 109 Clark Street, Pelham, AL 35124.

This Instrument Prepared by: Greer B. Mallette, Esq
Christian & Small, LLP
505 2th Street North, Suite 1800
Birmingham, AL 35203



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SECOND MORTGAGE MODIFICATION AGREEMENT
(continued)

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GRANTOR:

OWENS ENTERPRISES, LLC

By: Claire Nobles Owens Member
Claire Nobles Owens, Member
of Owens Enterprises, LLC

By: Larry Wayne Owens Member
Larry Wayne Owens, Member
of Owens Enterprises, LLC

LENDER:

REGIONS BANK

By: Chris Howell
Authorized Signer

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that CLAIRE NOBLES OWENS, MEMBER of OWENS ENTERPRISES, LLC and LARRY WAYNE OWENS, MEMBER of OWENS ENTERPRISES, LLC, a limited liability company, are signed to the foregoing Modification and who are known to me, acknowledged before me on this day that, being informed of the contents of said Modification, they, as such and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 13 day of May, 2015.

Judith L. Woodall
Notary Public

My commission expires MY COMMISSION EXPIRES AUGUST 22, 2015

LENDER ACKNOWLEDGEMENT

STATE OF South Carolina)
COUNTY OF Aiken)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Chris G. Howell whose name as V.P. of REGIONS BANK is signed to the foregoing Modification and is are known to me, acknowledged before me on this day that, being informed of the contents of said Modification of Mortgage, he or she, in his or her capacity as such V.P. of REGIONS BANK, executed the same voluntarily on the day same bears date.

Given under my hand and official seal this 1 day of MAY, 2015.

D. Neal DeJaur
Notary Public

My commission expires 8/26/2023

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SCHEDULE "A"

A PART OF THE SW 1/4 OF THE NE 1/4 OF SECTION 23, TOWNSHIP 20 SOUTH, RANGE 3 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SW CORNER OF THE NW 1/4 OF NE 1/4 OF SECTION 23, TOWNSHIP 20 SOUTH, RANGE 3 WEST; THENCE RUN IN AN EASTERLY DIRECTION ALONG THE SOUTH LINE OF THE NW 1/4 OF NE 1/4 FOR A DISTANCE OF 466.90 FEET; THENCE TURN A DEFLECTION ANGLE OF 91 DEGREES 18 MINUTES 30 SECONDS TO THE LEFT AND RUN 102.73 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES TO THE RIGHT AND RUN 40 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES TO THE LEFT AND RUN 32 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES TO THE RIGHT AND RUN 231.35 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES TO THE RIGHT AND RUN 210.69 FEET; THENCE TURN A DEFLECTION ANGLE OF 5 DEGREES 02 MINUTES TO THE LEFT AND RUN 48.0 FEET TO AN IRON; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 07 MINUTES 22 SECONDS TO THE LEFT AND RUN 78.04 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 183.52 FEET; THENCE TURN A DEFLECTION ANGLE OF 76 DEGREES 27 MINUTES 08 SECONDS TO THE RIGHT AND RUN 91.01 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 06 MINUTES 37 SECONDS TO THE RIGHT AND RUN 179.14 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 12 MINUTES 06 SECONDS TO THE RIGHT AND RUN 133.66 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS LYING IN THE NE 1/4 OF SECTION 23, TOWNSHIP 20 SOUTH, RANGE 3 WEST; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

EASEMENT

COMMENCE AT THE SW CORNER OF THE NW 1/4 OF NE 1/4 OF SECTION 23, TOWNSHIP 20 SOUTH, RANGE 3 WEST; THENCE RUN IN AN EASTERLY DIRECTION ALONG THE SOUTH LINE OF THE NW 1/4 OF NE 1/4 FOR A DISTANCE OF 466.90 FEET; THENCE TURN A DEFLECTION ANGLE OF 91 DEGREES 18 MINUTES 30 SECONDS TO THE LEFT AND RUN 102.73 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES TO THE RIGHT AND RUN 40 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES TO THE LEFT AND RUN 32 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES TO THE RIGHT AND RUN 231.35 FEET; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES TO THE RIGHT AND RUN 210.69 FEET; THENCE TURN A DEFLECTION ANGLE OF 5 DEGREES 02 MINUTES TO THE LEFT AND RUN 48.0 FEET TO AN IRON; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 07 MINUTES 22 SECONDS TO THE LEFT AND RUN 78.04 FEET TO THE POINT OF BEGINNING OF THE CENTER LINE OF A 30 FOOT WIDE EASEMENT; THENCE TURN A DEFLECTION ANGLE OF 76 DEGREES 45 MINUTES 51 SECONDS TO THE RIGHT AND RUN 222.42 FEET; THENCE TURN A DEFLECTION ANGLE OF 180 DEGREES 00 MINUTES TO THE RIGHT AND RUN BACK ALONG THE PREVIOUS LINE FOR 88.76 FEET; THENCE TURN A DEFLECTION ANGLE OF 89 DEGREES 47 MINUTES 54 SECONDS TO THE RIGHT AND RUN 179.14 FEET TO THE POINT OF ENDING OF SAID EASEMENT CENTER LINE. SAID EASEMENT IS 30 FEET IN WIDTH BEING 15 FEET EACH SIDE OF THE ABOVE DESCRIBED CENTER LINE; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

THIS DEED IS EXECUTED AS REQUIRED BY THE ARTICLES OF ORGANIZATION AND OPERATING AGREEMENT OF GRANTOR, AND SAME HAVE NOT BEEN MODIFIED OR AMENDED.


TO HAVE AND TO HOLD TO GRANTEE, ITS SUCCESSORS AND ASSIGNS FOREVER; SUBJECT, HOWEVER, TO THE FOLLOWING:

1. AD VALOREM TAXES FOR THE 2005 TAX YEAR AND THEREAFTER
2. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 179, PAGE 363, IN THE PROBATE OFFICE OF SHELBY COUNTY
3. RIGHT-OF-WAY GRANTED TO SHELBY COUNTY BY INSTRUMENT RECORDED IN DEED BOOK 135, PAGE 400, IN SAID PROBATE OFFICE
4. EASEMENT TO CITY OF PELHAM AS SHOWN BY INSTRUMENT RECORDED IN INSTRUMENT 41994-10460 IN SAID PROBATE OFFICE
5. RIGHTS OF OTHERS TO THE EASEMENT SET OUT IN DEEDS RECORDED AS INSTRUMENT #20040122000038060, INSTRUMENT #20040122000038070, AND INSTRUMENT #20040122000038050 IN SAID PROBATE OFFICE

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BEING THE SAME PROPERTY CONVEYED TO OWENS ENTERPRISES LLC BY DEED
FROM BEARDEN PROPERTIES LLC RECORDED 08/15/2005 IN DEED BOOK
20050815000417570 PAGE , IN THE PROBATE JUDGE'S OFFICE FOR SHELBY
COUNTY, ALABAMA.

TAX ID# 136231002006.003


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